

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RASHEEN ALDRIDGE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:18-cv-1677-CAS
)	
CITY OF ST. LOUIS MISSOURI, et al.,)	
)	
Defendants.)	

JOINT MOTION TO EXTEND CASE SCHEDULE

Pursuant to Federal Rules of Civil Procedure 6(b)(1)(A), 16(b)(4), the Parties jointly move to extend the deadline to extend Plaintiff's deadline to disclose expert witnesses and further extend the remaining deadlines in the case schedule. In support thereof, the Parties state as follows:

1. On January 29, 2020, the Court entered the Amended Case Management Order ("CMO") in this case. *See* Doc. No. 71.
2. Under this CMO, the deadline for Plaintiff to disclose expert witnesses is August 21, 2020. Doc. No. 71 at 1.
3. The Court granted Defendant Olsten's Motion to Stay Proceedings (Doc. No. 55) on January 15, 2020, allowing a partial stay to preserve Defendant Olsten's Fifth Amendment right against self-incrimination in the criminal prosecution concerning the facts of the instant matter. *See* Doc. No. 69.
4. Defendant Olsten's criminal trial is currently set for September 28, 2020, so Defendant Olsten has not yet participated in discovery in the instant matter. *See* Doc. No. 78.
5. Without the deposition of Defendant Olsten, Plaintiff cannot adequately prepare an expert report.

6. St. Louis began experiencing significant disruption due to the COVID-19 pandemic in mid-March. The City of St. Louis has issued a series of shut down orders. To this day, key staff in both SLMPD and the City Counselor's office are either burdened with pandemic response item or have other restrictions or limitations on in office work which impact Defendants' ability to timely produce responsive documentation pertinent to Plaintiff's expert reports.

7. Counsel for Plaintiff, Defendant City of St. Louis, and Defendant Hayden are in regular and on-going communication about how best to continue discovery.

8. While Plaintiff, Defendant City of St. Louis, and Defendant Hayden have been fully engaged in the litigation, because of the difficulties producing responsive documents due to the pandemic and Defendant Olsten's stay, Plaintiff, Defendant City of St. Louis, and Defendant Hayden are unable to meet all the deadlines in the current case schedule.

9. No party will be prejudiced by the extension of these deadlines.

10. The proposed amended deadlines in this case are as follows:

ACTIVITY	CURRENT	PROPOSED DEADLINE
Deadline for Plaintiff to disclose all expert witnesses and provide reports required by Rule 26(a)(2)	August 21, 2020	December 21, 2020
Deadline for Plaintiff to make expert witnesses available for depositions and have depositions completed	September 25, 2020	January 22, 2021
Deadline for Defendants City and Hayden to disclose all expert witnesses and provide reports required by Rule 26(a)(2)	October 2, 2020	February 22, 2021
Deadline for Defendants City and Hayden to make expert witnesses available for depositions	November 2, 2020	March 22, 2021

Deadline for Plaintiff, Defendant City, and Defendant Hayden to complete all discovery	November 12, 2020	April 1, 2021
Deadline for any motion concerning the actual cost of medical care or treatment rendered to Plaintiff, pursuant to § 490.715, Mo. Rev. Stat. (2017 Supp.)	November 25, 2020	April 7, 2021
Deadline for any motions to dismiss, for summary judgment, motions to limit or exclude expert testimony, or motions for judgment on the pleadings	December 18, 2020	May 7, 2021
Deadline for opposition briefs on any motions to dismiss, for summary judgment, or motions for judgment on the pleadings	January 19, 2021	June 4, 2021
Deadline for reply briefs on any motions to dismiss, for summary judgment, or motions for judgment on the pleadings	January 29, 2021	June 14, 2021
Deadline for <i>Daubert</i> motions	November 25, 2020	April 7, 2021
Trial date	May 24, 2021	October 18, 2021

WHEREFORE, the Parties respectfully pray for an order amending the CMO together with such other and further relief as the court deems just and proper.

Dated: August 13, 2020

KHAZAELI WYRSCH LLC

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Respectfully submitted,

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